

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DONOVAN SHANE GREER,  
  
Plaintiff,  
  
v.  
  
KCSO ADMINISTRATION, et al.,  
  
Defendants.

No. 1:21-cv-00108-AWI-JLT (PC)

**ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DISMISSING  
ACTION**

(Doc. Nos. 12, 20)

Plaintiff Donovan Shane Greer is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action brought under 42 U.S.C. § 1983. This matter was referred to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On August 12, 2021, the assigned magistrate judge found the Court lacks subject-matter jurisdiction over Plaintiff's claims, and that Plaintiff's claim for emotional damages is barred by the Prison Litigation Reform Act (PLRA). Doc. No. 17. Therefore, the magistrate judge ordered Plaintiff to show cause why this action should not be dismissed. *Id.* at 3. Plaintiff filed a response to the order to show cause on August 27, 2021. Doc. No. 18.

On August 30, 2021, the assigned magistrate judge issued findings and recommendations, recommending that this action be dismissed. Doc. No. 20. The magistrate judge found that Plaintiff's response to the order to show cause does not meaningfully call into question the Court's lack of jurisdiction over Plaintiff's claims or that Plaintiff's claim for emotions damages

1 is barred by the PLRA. Id. at 2. The judge provided Plaintiff 14 days to file objections to the  
2 findings and recommendations. Id. at 4. Plaintiff has not filed any objections, and the time to do  
3 so has passed.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The findings and recommendations issued on August 30, 2021 (Doc. No. 20) are  
6 ADOPTED in full;
- 7 2. This action is DISMISSED for lack of subject-matter jurisdiction and because  
8 Plaintiff's claim for emotional damages is barred by the PLRA;
- 9 3. Plaintiff's pending motion for miscellaneous relief (Doc. No. 12) is DENIED as  
10 moot; and,
- 11 4. The Clerk of the Court is directed to close this case.

12 IT IS SO ORDERED.

13 Dated: October 1, 2021

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15 SENIOR DISTRICT JUDGE  
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